



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 16, 2002

H.R. 4187 **Presidential Records Act Amendments of 2002**

*As ordered reported by the House Committee on Government Reform
on October 9, 2002*

H.R. 4187 would amend the Presidential Records Act and nullify Executive Order 13233 to establish a statutory process for reviewing presidential records. The bill would require the Archivist of the United States to provide 20 days' notice before making presidential information public. During that waiting period, a former or incumbent President could claim a constitutionally based privilege against disclosure. If the claim is made by a former President, the Archivist could release the material at the end of the 20-day period unless otherwise directed by a court order. If the claim is made by an incumbent President, the Archivist could not release the material unless the claim is withdrawn or the Archivist is otherwise directed by a final court order that is not subject to appeal. H.R. 4187 also would allow a newly elected President additional time—until July 20 of the first year in office—to review presidential records that would otherwise be made public during that time.

Based on information from the National Archives and Records Administration, CBO estimates that implementing H.R. 4187 would have no significant effect on federal spending. In addition, the legislation would not affect direct spending or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.